

Damages Being Sought

\$5,000,000.00

(Five Million total, as of November 1st 2022)

Willie Lee HavMmeri,

Plaintiff

vs.

Methodist Health Systems,

Defendant

Case No. 3:22-cv-00594-E-BT

Disclaimer: The arguments for damages stated below are made without the services of a competent legal professional and I reserve the right to revise and or further detail at a later time.

I, Willie Lee HavMmeri, seek to ask the U.S. District Court for Five Million Dollars in damages (\$5,000,000.00), should this case go to trial.

This is an amount that I feel is rather low, when quantifying mental anguish, pain and suffering and other damages but I felt it requires a serious wake up call from Methodist Health Systems (MHS).

I actually loved working for Methodist Health over my years employed and truly feel that their Company Policy was sound in how my circumstances were to be handled. My termination was so rushed (13 days of covert investigation) that my actual work history and employee record was glaringly overlooked.

I worked at three different MHS Hospitals simultaneously (Methodist Charlton, Plano and Dallas) and was universally loved and respected by the greater hospital staffs. My initial grievance detailed the workplace violence and discrimination of 4, total, individual Methodist Dallas Staff in one department in particular. Non-Invasive Cardiology, a subset of the Cardiology Department.

I had performed the most heart procedures in my department. I was the most proficient at reading EKG rhythms, with respect to the Cardiologist at the 3 campuses. Some of which even would ask my opinions on various rhythms.

I was the only non paramedic that responded to heart attack patients (Code Blues) and rapid responses to help with chest compressions. I would get calls from nurses on various medical surgical floors to assist with blood draws on difficult patients. I sat overnight with psych patients. I knew the cardiac computer software (MUSE) like the back of my hand and was considered a "Super User". The only one in my department.

I only worked 3 days a week. Sundays from 6am to 3pm. Mondays and Tuesdays from 8am to 8pm. I had 4 straight days off every week. I performed over one thousand heart procedures on male and female patients. I loved my job and I was good at it.

Despite my care free work life, I suffered greatly. This is because of a toxic work environment which was fostered and encouraged by my immediate supervisor, Renee Pegram (Director of Cardiology).

R. Pegram could routinely threaten to fire me. If she saw me in the hallway talking to staff, she would tell me to get back to my office and that I was on "thin ice" already. If she was talking to staff and I walked by, my Director would take the moment to tell me to finish a computer assignment "before you get yourself fired." Once, she called me back into her office to loudly scold me within ear shot of my coworkers and shake a finger at me as she screamed "Watch your tone! Your gonna get yourself fired!"

I merely joked with some staff at the front desk about going home early because we had 3 workers working a 2 person job (a common shady practice in my department) and it was met by a threat of termination.

I sent emails to my Director about all 3 of my coworkers mentioned stealing time. All three. Each time, there were no disciplinary actions to the workers mentioned, though I provided the proof. One time in particular R. Pegram's reply back to me was I would be the one to get wrote up, should I email her a complaint about the aforementioned worker stealing time again. Imagine that.

When I arrived at work on March 10th 2020 to be cursed out at my desk for trying to clock in and start my shift, I had had enough.

On March 17th 2020, I filed my complaint.

24 days later, I was fired on my day off for stealing time. The date was April 10th 2020. I was made aware on April 10th 2020. (The federal laws mentioned in my revised complaint clearly state that a complaining employee who files a complaint in good faith can not be disciplined, investigated nor terminated within 60 days of said complaint).

It has now been over two and one half years since I first reached out to Methodist Health Systems (MHS) to explain the horrible circumstances of my termination. Till this day, I do not wish for this matter to go to trial. I have always tried to sit down with the top officials with the company and explain what happened to me and come to a quiet settlement. With each upcoming court case, MHS has doubled down on their stance, further eroding my confidence that the company actually cares about lower level employees like myself, which has been disheartening...

Shortly after getting fired on April 10th 2020, several staff members of MHS who were aware of the circumstances that led to my termination, reached out to me and gave me the email addresses of the President, CEO, CFO and the Vice President of Nursing (to whom I had wanted to lead my investigation in the first place). I emailed them all my account of what happened during my termination process, to the best of my knowledge at the time. I never received a reply.

I cashed out my 401k and got a lawyer during the pandemic. The lawyer reached out to discuss settling the matter before the EEOC deadline, Methodist Legal declined at the time. Lawyer moved on.

I applied for unemployment with the Texas Workforce Commission. I was denied unemployment benefits for the same reason I found myself no longer employable: I had been fired for stealing time. (Not only does this look bad on a job application, but it also disqualifies you from getting unemployment benefits. And this is when the government was giving out additional pandemic relief!)

I had to appeal the decision. With no lawyer.

After 5 hours of audio testimony from the 3 MHS Directors, and 15 minutes of audio testimony from me, my unemployment denial was reversed. The mediator cited the Texas Laws and statutes mentioned in my Revised Claim and that too much time had past between the last confirmable offense listed on my termination letter and the day in which the investigation started which led to my termination.

I reached out to Methodist afterwards to settle the matter before the EEOC got going on the case, and again, MHS gracefully declined.

I was shocked to discover a 64 page Position Statement on behalf of MHS as their response to the EEOC case moving forward. I read through the entire Position Statement approximately 5 times. Some of the pages were duplicates. Very poorly done. I was shocked. Each time I read the MHS Position Statement, I failed to find one instance to which they proved items listed on my Termination Letter were valid. Not only did MHS completely abandon the 8x10 photo of me at home (which MHS took off my personal Facebook Account) but as far as frequenting the Hospital Gym, MHS presented zero evidence that I utilized the gym anymore than I said during my impromptu termination.

I maintained that I used the Hospital Gym (Folsom Fitness Center) on my breaks and lunches. It was an employee discounted membership. A gym on the hospital grounds. My Department issued phone and pager both worked at the hospital gym location. I told the firing Directors (Wayne Wilson and Val Marks) that I had used the hospital gym all 5 years I had worked at the Dallas location and over the course of various Directors and Supervisors as well as staff members, this was common knowledge at the time. I had never been wrote up nor disciplined for where I took my breaks and lunches. Despite my explanation, Director Val Marks informed me that I had been observed over an hour at the gym, each time, and that my Director (Renee Pegram) remained unaware I used the hospital gym at all.

In the 64 pages of evidence MHS presented to the EEOC, the "over one hour each time" claim was never verified.

I was really saddened to learn while reading the MHS Position Statement to the EEOC that, after complaining about getting cursed out at my desk trying to clock in for work on March 10th 2020, apparently, I used the final 30 days before I was terminated to not only steal time but also to sexually harass every woman in the department.

It was at that point in the EEOC process that I felt like MHS really had no idea what really happened to me. From the Top of the Organization, it appears that multiple women in one department simply were compelled of their own volition to expose some male co-worker who was going home while at work and making them extremely uncomfortable by sexually harassing them to no end. Clearly such an employee is far past the realm of reeducation or reforming.

Yes, upon reading the EEOC Position Statement from MHS, I understood completely why Methodist Health System felt justice was properly administered:

After I filed my Formal Complaint on March 17th 2020, the 3 Directors who's actions led to my termination on April 10th 2020 allowed for my name and reputation to be defamed and slandered on record. (DEFAMATION OF CHARACTER).

This felt like an extremely low blow and one to which I wanted to properly explain in my Rebuttal Position Statement to the EEOC so that which, both, the EEOC Investigator and MHS Legal could really see that after complaining about the women in my Cardiology Department being without consequence, including my Director (R. Pegram) I had my employment terminated based on yet unproven, wild accusations by the very women I complained about.

I truly smiled as I wrote my EEOC Rebuttal Statement. I used the statement to give a detailed breakdown of the events that led from March 10th 2020 until April 10th 2020 and my termination of employment.

I included pictures. I included text messages. I requested the means to send in the 5 hours of audio testimony from the 3 Directors. I provided the emails I had access to that completely showed my sincerity with resolving the matter peacefully in the hospital.

I thoroughly explained experiencing workplace violence on Tuesday March 10th 2020. I explained that I filed a Formal Complaint with my immediate supervisor, Director R. Pegram a week later. I explained that I was uninformed I was being investigated when I arrived at MHS Human Resources on April 10th to learn I was being terminated. I explained that I had NEVER been written up for any of the egregious charges being levied against me in the MHS Position Statement NOR at any of the 3 MHS Hospitals I was currently working in.

I explained in great detail that, in 5 years, I had friendly, cordial relationships with each and every woman who gave the character statements.

I had been to their children's birthday parties. Given my children's clothes and old toys to their children. Supported their businesses. Accepted their friend request on social media. In 5 years, not one of these women had ever complained about me. I saw them all as family, actually. Even when I initially spoke of the toxic workplace I found myself in with the 4 ladies I was complaining about, I asked V. Marks that none of them be disciplined and that we all receive additional training on how to navigate the work environment with respect, or, she could simply transfer me some place else.

I was genuinely hurt by how I was being portrayed by these disgruntled coworkers of MHS. The majority of the statements to the EEOC from my MHS coworkers were from women I did not complain about nor worked in my immediate department (Non-Invasive) that was the subject of my grievance.

After submitting my Rebuttal of Position Statement to the EEOC, I AGAIN, contacted MHS Legal to settle the matter before the EEOC could render a decision and MHS, not surprisingly, failed to respond.

Months later, after countless redistricting of my EEOC case and sending it from Dallas to Lubbock to San Antonio, last December (2021) I received the verdict from the EEOC of "Dismissal, with Right to Sue". I read through the explanation as to why the EEOC decided to not prosecute and felt it was disingenuous.

The EEOC gave me 90 days to file with the US District Court and I felt like the only reason I lost my case with the EEOC was because I didn't have a lawyer. I seriously don't believe the EEOC Investigator even read my rebuttal arguments, which were iron-clad (in my humble opinion).

I followed up with the EEOC for an explanation as to how they arrived at their conclusion but it was never granted.

I was so disheartened that I applied for a temporary, factory job near my home. I sought to use the money to secure a lawyer to AT LEAST file the U.S. District Court paperwork and amendments properly. Most Employment Law Lawyers in Dallas County wanted, on average, \$5,000.00 down and 30% of the judgement or \$1,500.00 and 40% of judgement. I got hired for a temporary factory job in February of 2022, weeks before my March deadline to file in the U.S. District Court.

{Side note: I will, once again, ask the courts to order MHS to pay all legal fees associated with my case, now that MHS has been properly served and provided with the revised position statement to which they have accessed for.}

Upon arriving at the factory job for orientation (February 2022), I was told that hiring had been suspended by the company. I returned home dejected. I don't know if they discovered I was fired for stealing time but I called for several weeks straight afterward and kept being told that hiring was still suspended.

I ride past the company sometimes and see that as of October 29, 2022 (today), the "Now Hiring!" signs are still plastered along the front of their facility.

(The company's name is Glassfloss, located in Desoto, Texas.)

I digressed. I was left with no choice during the final days of my EEOC mandated deadline to catch the train to Downtown Dallas, locate the correct Government Building that housed the U.S. District Courts Clerk Office and submit my grievance, via ink pen. I even forgot to add my "See more pages".

And still today, as of November 1st, 2022, I earnestly seek to settle this matter as quickly as possible.

Despite the fact that MHS has ignored my pleas to review the evidence, look up my email correspondence over the years with the staff and Director and to please settle the matter quietly and without tarnishing ourselves further with these legal disputes, I have remained faithful that Methodist Hospital of Dallas will do the right thing and really listen to what happened to a valued employee.

I firmly believe that it was not MHS Policy that failed me. MHS Policy actually validates me. The reason I have been able to fight this matter over 2 plus years is because from the day I was terminated, I knew that I "won by losing" that day. My termination proved my grievance beyond a shadow of a doubt.

MHS Policy is not to blame here. MHS Directors, in positions of authority, failing to adhere to said policy are to blame. MHS standing firm with these Directors is how we find ourselves where we are today.

I was literally fired based on the testimonies of the very women that weeks earlier I complained about.

I accused these women of stealing time and I was fired for stealing time.

I stated that the female employees in my immediate work area behaved in gossip, workplace violence and theft of time with no consequence.

The young lady that cursed me out at my desk on March 10th 2020 was rewarded my position after my termination.

The Director (R. Pegram) was personally told by me that I had no faith in her rendering a judgement on my grievance (and instead I wished to speak with her boss) has stated repeatedly, on record, that she had nothing to do with my termination.

My Termination Letter mentions R. Pegram directly. (“His Director was unaware”)

Each person interviewed to provide a character statement in regards to me was handpicked by the Director (R. Pegram), who should have been suspended, pending an investigation and thus, had no hand in the direction of my initial claim for discrimination with the company.

5 women, some of which had personal vendettas as the subjects of my grievance and several who may have been coerced under threat of termination, gave slanderous and defaming statements about my character.

As I read the EEOC Position Statement from MHS, I was reminded that one such young lady who gave a character statement contacted me on Facebook shortly after George Floyd died. It was in response to the death of George Floyd and a post about “protecting black men” to which she replied in the affirmative, much to my surprise, given her participation with regard to my termination.

The young lady and myself spoke in my direct mail about her being summoned by our supervisor to HR and she was in fear of being fired for excessive tardiness. Under such fear of the loss of employment, with the emergence of some new pandemic halting the world, she told me “I was scared of being fired... I had to give you up...” I sent the screen shot exchanges to the EEOC in my Rebuttal Statement. Again, I doubt anybody at the EEOC actually read my rebuttal.

I am prepared to prove every statement I have made in this document. I still have all my evidence and can present it at court during this trial. If a trial remains necessary.

Today, I would like to reiterate to MHS and MHS Legal Team that I sincerely wish to close this chapter of my life and see justice prevail, without bring harm to an organization that I love.

I believe in Methodist. I believe it is the best hospital system in Dallas/Fort Worth.

I’m able to look past the bad actors who have sought to tarnish my name, defame me, terminate my employment and severely destroy my ability to earn a living. I am able to look past these calloused individuals who cared more about saving their own jobs than doing what’s right for the company.

I am able to still believe in the Methodist Promise ©.

I believe in the company’s core values.

I believe in the mission statement.

I believe that Company Policy did not fail me.

I just would like Methodist to believe in me.

I am not the villain I have been painted me as...

Still willing to give an Incident Report

Should MHS decide to settle this matter, I am still willing to sit down and fill out an incident report. If they are uninterested in it, that's fine as well. I do feel it would be valuable for the company I love to avoid such unfortunate legalities again in the future.

My general premise is that we are LESS THAN 100 years into the emergence of these gender dynamics in the workplace.

This is really the 1st time in over 10,000 years of human history that MEN & WOMEN have worked in the same environments and competed for the same resources and opportunities. This has had effects on society that I do not feel Methodist Hospital of Dallas should be the battleground location for such upcoming discussions.

My case is a great example of the double standards in disciplining women and the unfortunate disappearance of men from the workplace today.

This has never been a knock on female bosses. I had worked in healthcare for 20 years at the time of my termination. Just about every boss I ever had was a woman. Today my city mayor of Desoto is a woman, whom I know personally. My children's school superintendent is a woman, whom I know personally. My wife is a nurse practitioner. My daughter won an academic scholarship and is attending Texas Christian University currently.

My Texas Workforce Commission mediator was a woman.

My EEOC Investigator was a woman.

My U.S. District Court Judge (The Honorable Magistrate Judge Rutherford) is a woman.

(It's been so long since I've seen a man in a position of authority that I'm just happy to interact with John Barcus on opposing council!) {Said in jest}

This has never been about any dislike for women. For me, this has always been about holding the women accountable. Especially those in positions of authority.

I want to reiterate that I do not wish to see any of the women involved in this grievance and case that defamed and smeared my name be disciplined. Only that they receive additional training.

It is true that I'm approaching my 3rd straight Christmas with no consistent income source while the ladies that callously saw me ejected from the workplace are doing quite well. I am not the least bit bitter. I do not wish to see them experience financial insolvency as they have had no remorse of seeing placed on me.

I do wish to see Val Marks, Wayne Wilson, Paul Aguilar, Arturo Herrera and Renee Pegram all investigated for their hand in my termination. They should have to give an account as to why their actions (or inaction) have cost MHS several millions of dollars in negligence.

In closing, I have wrote this letter as a plea to MHS and their legal counsel to resolve this matter before it escalates further. I would like to inform all parties that my goal is to seek five million dollars in damages, should this matter make it to trial.

This amount includes:

1. Loss of income source
2. Loss of benefits
3. Loss of medical coverage
4. Loss of pandemic related bonuses and hours
5. Pain and suffering
6. Mental anguish
7. The justification of my termination using defamation.

Should MHS decide it's in their best interest to see this case resolved through further litigation and make the conscious decision to "double down" on their claims, despite the federal laws against retaliation, I am prepared to ask for substantially MORE in court.

This 5 million dollar amount is based on my damages as of November 1st 2022 and beforehand.

Future decisions to prolong, delay, justify my termination and slander my character will result in a revised amount in damages sought.

The decision to settle this matter by MHS (before trial) will be met by my side as an act of good faith and an amount awarded in damages can be mutually agreed upon at that time.

After this letter to the court regarding damages sought, I am preparing 5 separate Orders that I would like the court to consider. With each Order, I will give an explanation as to why I believe each is necessary.

For the last time, I wish to state that I do not want this case to make it to court or before the public. I feel this situation is rather embarrassing for myself and even more so for Methodist Health Systems.

If MHS or their legal team wishes to reach out to me directly, with the court's permission, I wish to inform MHS that I can be reached via email at godcolored@gmail (dot) com, by phone at (214) 600-6207 and via mail addressed to: Willie Lee HavMmeri 716 Saddlebrook Drive Desoto, Texas 75115.

Thank you to all parties involved and it is my hope to resolve this matter by mid December of this year (2022).

I have no desire to experience a 3rd holiday season financially insolvent and with further compounded misery and stress.

Respectfully submitted,

By: _____/s/ Willie HavMmeri

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